

**Investigative Insert
Review of Video (x3)**

Case#: 2018-A-309

Investigator: Lt. A. Skinner

This investigation is predicated on a DC-135A authored by inmate Chaney, Charles KR9965 on 17 MAY 18. Inmate Chaney alleges, "On 5-15-18 I was assaulted by the CO well being in the medical room then I was taken to the strip cage slam of the floor punch in the eye mug in the eye and knee in the eye"

With the aforementioned, a review of three (3) videos was conducted.

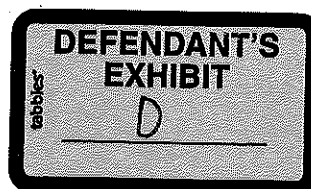
1. RHU DVR, Camera RHU C-Pod, 1250hrs, 15 MAY 18
2. RHU DVR, Camera RHU C-Pod, RHU Strip Room, RHU D-Pod, 1250hrs, 15 MAY 18
3. Hand Held Video Camera, 15 MAY 18, 1250hrs

Review of video one (1), reveals the following events;

- 00:00 - 00:14; Officer is seen at HC2013 cell door as another officer is seen at cell chase between cells HC2013 and HC2014 with cell chase door open, officer at cell door leaves cell vicinity
- 00:15 - 00:46; Movement is seen in cell, officer at cell chase is seen reaching into cell chase and closes cell chase door, officer who was at cell door is identified as Sgt. Clinger who exits pod
- 00:47 - END; Officer standing at railing in vicinity of HC2013 cell

Review of video two (2), reveals the following events;

- RHU C-Pod
- 00:00 - 01:47; Officer is seen standing at HC2013 cell movement can occasionally be seen in cell, CO1 Borello enters pod
- 01:48 - 09:37; CO1 Borello goes to vicinity of HC2013 cell, movement can occasionally be seen in cell as officer at door appears to be interacting with Inmate Chaney, CO1 Borello standing at railing in vicinity of cell
- 09:38 - 17:05; CO1 Borello is seen opening cell chase door, officer at door continues to appear and interact with Inmate Chaney, inmate janitor steps inside of pod door and immediately exits appearing to take mop bucket, officer at door steps away from door and appears to interact with CO1 Borello and leaves cell vicinity as CO1 Borello reaches



Attachment 2

Case#: 2018-A-309 (Page 2)

Subject: Review of Video (x3)

- into cell chase then closes cell chase door, officer who was at cell door is identified as Sgt. Clinger who exits pod
- 17:06 – 18:19; CO1 Borello standing at railing in vicinity of cell, CO1 Borello appears to look into cell
 - 18:20 – 22:01; CO1 Bornscheuer enters pod goes to garbage can on top tier and moves to vicinity of HC2013 cell stands near CO1 Borello for moment and moves back near garbage can and remains near top of stairs/garbage can, movement occasionally seen in cell, CO1 Bornscheuer goes down stairs to pod door
 - 22:02 – 22:32; Lt. Barner enters pod as CO1 Bornscheuer exits pod, CO1 Zacheral enters pod and immediately exits
 - 22:33 – 23:45; Lt. Barner goes to HC2013 cell door as Sgt. Clinger enters pod appearing to carry a gas mask followed by CO1 Bornscheuer without a gas mask, CO1 Bednaro who is wearing a gas mask and appears to be carrying an MK-9, and CO1 McHale who is also wearing a gas mask who moves to and appears to open the outside pod door, CO1 Zacheral enters the pod
 - 23:46 – 25:10; CO1 McHale goes to vicinity of cell goes back down steps and exits pod, shortly thereafter returns appears to be carrying hand cuffs and goes back to vicinity of HC2013 cell, CO1 Zacheral appears to be conducting security rounds
 - 25:11 - END; CO1 McHale comes down stairs as cell door is opened and inmate Chaney is escorted from cell by CO1's Borello and Bednaro followed by Lt. Barner and off of pod followed by Sgt. Clinger with video camera
 - RHU Strip Room
 - 00:00 – 00:07; Inmate Chaney is heard screaming stating he was punched in the eye
 - 00:08 – 04:00; CO1's Bednaro, Borello, Boyd, and Sgt. Clinger come into view appearing to be carrying inmate Chaney, CO1's McHale and Lt. Barner also visible, inmate Chaney continues screaming and stating that he was punched in his eye and that he is going to kill someone, CO1's Borello, Bednaro, and Boyd are seen appearing to maintain control of inmate Chaney, inmate Chaney states he is being choked which is immediately addressed that it is not occurring, inmate Chaney begins to tell the officers to kill him, Lt. Barner attempts to calm inmate Chaney who continues that he was punched in the eye and that they are going to go through this every day, officers appear to conduct a prone strip search at this time
 - 04:01 – 05:10; Appears an anti-suicide gown is placed upon inmate Chaney, as he continues to state he was punched in the eye and he is going to kill someone
 - 05:11 - END; Inmate Chaney is assisted to his feet by officers and escorted from strip room continuing to scream

Case#: 2018-A-309 (Page 3)

Subject: Review of Video (x3)

- RHU D-Pod
- 00:00 – 00:36; Inmate Chaney is seen escorted onto pod and stood next to HD1012 door, officer enters cell
- 00:37 - END; Officer exits cell, Inmate Chaney is initially placed into cell and door began to be closed yet officers then open door and escort inmate Chaney into cell, officers exit cell, appear to secure door, remove hand cuffs, secure feeding aperture, and exit pod

Review of video three (3), reveals the following events;

- 00:00 – 01:31; Lt. Barner and CO1's Bednaro, Borello, and Borscheuer are seen at cell door giving orders to put a tray down, Lt. Barner gives hasty brief of incident
- 01:32 – 02:02; CO1 McHale comes into view and gives hand cuffs to CO1 Borello, feeding aperture is opened and hand cuffs are placed onto inmate Chaney, cell door is opened and inmate Chaney is escorted from cell by CO1's Borello and Bednaro followed by Lt. Barner
- 02:03 – 02:29; Inmate Chaney states games are being played as he escorted off of the pod
- 02:30 – 04:11; Inmate Chaney is escorted to triage and begins telling officers to "fuck him up" and to be mad, inmate Chaney is taken into triage room and begins to state officers are playing with his food and it means war and they are going to break his wrist and he does not trust him
- 04:12 – 05:20; Inmate Chaney states he is ready to go through the pain and asks the officers why they are not doing anything and wants to know if he has to start, RN Wofford enters triage, inmate Chaney states they are going to play games and he is going to go into his bag
- 05:21 – 07:14; Lt. Barner enters triage and attempts to speak with inmate Chaney as he states the officers are trying to hurt him, inmate Chaney then states Sgt. Clinger is playing with his food, inmate Chaney denies banging his tray against the cell window, inmate Chaney turns abusive towards Ms. Kosinski
- 07:15 – 10:15; Inmate Chaney begins to turn towards his back and is told to stop by CO1 Bednaro, inmate Chaney is taken off the bed and immediately placed back onto the bed by CO1's Bednaro, Borello, and Borscheuer and control of him maintained, inmate Chaney begins to state he is being assaulted by officers, inmate Chaney states it is war and he is ready to die, a spit hood is placed onto inmate Chaney as he continues to tell the officers to fuck him up, break his arm, and punch him in the face, Lt. Barner questions inmate Chaney if he is going to comply if sat up and he continues to scream and make threats and tell the officers to fuck him up becoming ever more resistant towards the officers attempts to maintain control of him

Case#: 2018-A-309 (Page 4)

Subject: Review of Video (x3)

- 10:16 - 11:30; CO1 Bednaro is handed an E.B.I.D. due to inmate Chaney's continued actions, Inmate Chaney continues to be noncompliant and screaming and is then laid onto bed and leg restraints are also placed on inmate Chaney
- 11:31 - 11:53; Inmate Chaney is escorted from the triage room down the corridor and placed onto the wall outside of the strip room
- 11:54 - 13:17; Control of inmate Chaney is maintained on the wall by CO1's Borello and Bednaro as he continues to scream and make threats and tell officers to kill him, Inmate Chaney then tells the officers to beat his head off of the wall and then hits his head on the wall
- 13:18 - 13:54; Inmate Chaney is placed onto the ground by officers and given orders to stop resisting as Sgt. Clinger is seen appearing to have an E.B.I.D. and inmate Chaney begins to state the he was punched in the eye, inmate Chaney's head can be seen between the legs of CO1 Bednaro as inmate Chaney continues that he was punched in the eye
- 13:55 - 14:02; Inmate Chaney is picked up by the limbs by the officers and turned towards the video camera at which point his eye can be seen swollen as he is carried into the strip room, inmate Chaney continues that he was punched in the eye
- 14:03 - 19:18; Inmate Chaney is carried into the strip room by his limbs and is placed onto the floor where a prone strip search is performed by the officers, inmate Chaney continues that he was punched in the eye, inmate Chaney begins to state he is being choked as he continues to scream and state he was punched in the eye and he is going to kill the officers, anti-suicide gown is placed onto inmate Chaney and he is assisted to his feet and escorted from the strip room
- 19:19 - 24:10; Inmate Chaney is escorted to triage by CO1's Borello and Boyd, inmate Chaney continues that he was punched in the eye and wants a picture taken of his eye, a capture shield is placed in front of inmate Chaney and photos are taken by RN Gibbs, inmate Chaney continues that he is going to kill officers, inmate Chaney begins to state he cannot see out of his eye because he was punched, he was assaulted, and the officers punched him in his eye
- 24:11 - 29:49; Cpt. Irwin enters triage room, inmate Chaney continues that he is not doing anything and he was punched in the eye by CO1 Borello and Cpt. Irwin has him relieved by CO1 Bednaro as inmate Chaney states he wants to press charges, inmate Chaney begins to state to punch him in the other eye and he cannot see, inmate Chaney continues to threaten that he will kill/murder the officers, Cpt. Irwin begins to speak to inmate Chaney again and he expands his allegation that he was also kicked and kneed in the eye and assaulted in hand cuffs, inmate Chaney again states Sgt. Clinger is playing with his food

Case#: 2018-A-309 (Page 5)

Subject: Review of Video (x3)

- 29:50 – 32:04; RN Wofford assesses inmate Chaney, inmate Chaney states his eye is swollen and throbbing, inmate Chaney states his wrists also hurt, inmate Chaney denies any other issues
- 32:05 – 35:01; Inmate Chaney is escorted from triage by CO1's Bornscheuer and Boyd to wall next to HD1012 cell, CO1 Bednaro enters cell and shortly thereafter exits, inmate Chaney is escorted into cell, leg restraints removed, backed up to door, door secured, hand cuffs removed, and feeding aperture secured
- 35:02 – 38:32; Inmate Chaney is recorded in cell, pacing, questions officer as to why he is recording him and places gown over window
- 38:33 - END; Camera operator CO1 Davis reports for debrief, Debrief by Lt. Barner with input from all involved officers where officers disclosed actions taken

**Investigative Insert
Review of EOR #2018-ALB-00163**

Case#: 2018-A-309

Investigator: Lt. A. Skinner

This investigation is predicated on a DC-135A authored by inmate Chaney, Charles KR9965 on 17 MAY 18. Inmate Chaney alleges, "On 5-15-18 I was assaulted by the CO well being in the medical room then I was taken to the strip cage slam of the floor punch in the eye mug in the eye and knee in the eye"

With the aforementioned, a review of EOR #2018-ALB-00163 was conducted. The entire EOR packet was reviewed, with attention to the following;

- Completed Attachment 32-E by; Cpt. R. Irwin, Cpt. E. Jones, Maj. C. Meure, DSFM M. Adams, and Superintendent M. Clark on 18 MAY 18
- DC-121 Part 3's completed by all staff involved in this incident
- DC-457 authored by RN Wanda Wofford on 2 MAY 18

Points of interest need be noted after EOR review;

- Inappropriate language by officers has been addressed and counseling conducted
- Use of force has been deemed to appear appropriate by multiple levels of management/administration
- DC-121 Part 3's authored by involved staff do document their actions and their justification for those actions
- DC-457 authored by RN Wanda Wofford notes swollen eye and redness of wrist from hand cuff

VIDEO REVIEW CHECKLIST/BRIEFING/DEBRIEFING: UNPLANNED USE OF FORCE

FACILITY: SCI-Albion

COMMISSIONED OFFICER: CO3 Samuel Barner

DATE: 5-15-18 **TIME:** 1250Hrs

Tape ID #: 1173 **DC-121 #:** 2018-ALB-0163

INMATE(S) NAME	NUMBER	HOUSING UNIT LOCATION
Charles Chaney	KR9965	(RIIU)

Central Office/Facility Staff Reviewing Video Recording:

Name: R. Irwin	Title: CO4 6-2 shift commander
Name: E. Jones	Title: I.G. Captain
Name: C. Meure	Title: Major
Name: M. Adams	Title: DSFM
Name: M. Clark	Title: Superintendent

Central Office/Facility Reviewing Staff Summation of Review:

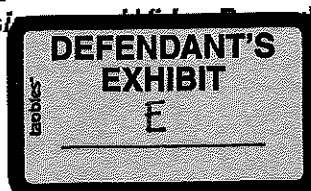
On May 15, 2018, at approximately 1250 hours, RHU officer CO1 Corey Barello was collecting meal trays on Charlie Pod. He approached H/C 13, which housed inmate Charles Chaney KR9965, CO1 Barello directed inmate Chaney to return his tray, inmate Chaney refused. CO1 Barello gave inmate Chaney several more orders to return his tray Chaney refused to comply. CO1 Barello notified RHU Sergeant John Clinger; Sgt. Clinger attempted to retrieve the tray from Chaney with negative results. Sgt. Clinger left the pod and proceeded to inform RHU Lieutenant Samuel Barner of Chaney's refusal to return his tray. When Sgt. Clinger exited the pod, inmate Chaney began to strike the cell door window utilizing the tray in attempt to break the window. CO1 Barello gave inmate Chaney several orders to stop, inmate Chaney refused. CO1 Barello then deployed a burst of O.C. through the cell chase vent, which achieved its desired result. Lt. Barner arrived he instructed inmate Chaney to surrender his tray, Chaney complied. Inmate Chaney was then restrained and removed from his cell and escorted to the RHU triage room to be assessed and decontaminated by medical staff. While waiting for medical staff to arrive inmate Chaney became non-compliant and began to resist the escorting officers. Inmate Chaney was placed onto his stomach to maintain positive control a spit hood and leg restraints were applied. Inmate Chaney continued to be non-compliant he was removed from the triage room and escorted to the RHU strip room. Inmate Chaney was placed on the wall still being non-compliant with the escorting staff. Inmate Chaney began to strike his face on the wall which caused injury to his right eye. He was placed onto the floor and positive control was achieved. Lt. Barner instructed the escorting officer to carry inmate Chaney into the strip room and placed on the floor, due to inmate Chaney being non-compliant, his clothing had to be removed. Sgt. Clinger began to removing Chaney's clothing utilizing medical shears, once his clothing was removed a strip search was conducted by Sgt. Clinger. Inmate Chaney was placed onto his feet and a

6.3.1, Facility Security Procedures Manual

Section 32 – Use of Force, General Provisions

Issued: 12/28/2015

Effective: 1/7/2016



Attachment 32-E

tamper resistance gown was applied, Chaney was then escorted back to the RHU triage room for assessment and decontamination. Inmate Chaney was seen and photographed by RN. Sandra Blair and LPN Wanda Wolford. The only injuries noted was a swollen right eye and slight redness to his wrists. Once the medical assessment was complete, Chaney was escorted to a cell and placed. Lt. Barner instructed the camera operator CO1 Mike Davis to record Chaney for additional 3 to 5 minutes than report for a debriefing of the incident. Lt. Barner conducted a de-briefing of the incident events, no staff injuries reported. SCI Albion command staff was notified and all incident related paper work was completed.

Follow-Up Action Recommended/Required? Yes or No (if yes, explain)

See comments

Unplanned Use of Force Video Recording
Comments

I. Other Comments

Shift Commander Review

- The involved staff were counseled on the use of inappropriate language.
- The use of force appears appropriate
- The inmate made allegations of abuse during the use of force however it is apparent from the video that the injuries sustained to the inmates eye were self-inflicted when he banged his head off the wall. I do not recommend an AOA investigation be conducted.

Security Office Review

- Use of force appears appropriate. Inmate can be seen in video hitting cell window with tray.
- Due to inmate making multiple allegations verbally and in writing an AOA investigation will be completed.

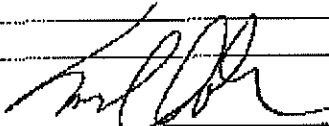
Major of the Guard review:

Concur with the Shift Commander and the Security Office. The use of force appears appropriate and this incident will be investigated due to allegations of abuse by the inmate.

Deputy for Facility Management Review

- Concur with above noted concerns and comments.

Next Review: AOA recommended, though use of force appears appropriate per video.



Reviewing Central Office/Facility Staff Member

Date

6/1/18

***Note: Any reports/memos generated based upon this review shall be attached to this checklist for filing.**

Confirm Extraordinary Occurrence Report

Facility Code:

EQ Location:

Date of Occurrence:

Report Number:

ALB - ALBION

RHU H/C 13

May 15 2018 12:50:00

2018-ALB-00163

Current Status of Inmate(s) (including housing status, misconduct information, etc):

<u>Inmate Name:</u> CHARLES CHANEY	<u>Inmate #</u> KR9765	<u>Age:</u> 34	<u>Inmate Type:</u> INMATE
<u>Custody Level</u> 5	<u>Current Housing Status</u> H/C 13 RHU	<u>Date Received</u>	<u>Offense</u> ROBBERY
<u>Sentence</u> 4 years 6 months - 9 years	<u>Minimum Date</u> Sep 16 2018	<u>Maximum Date</u> Mar 16 2021	<u>Misconduct #</u>
<u>Medical Treatment Given</u> seen and photographed by medical staff			

Occurrences To Be Reported Within 1 Hour

- ☐ Any Significant Problem Requiring Activation of Emergency Plan (including Drills Exercises)
Specify: N/A
- ☐ Inmate on Staff Assault With or Without a Weapon Resulting in the Death of a Staff Member
- ☐ Inmate on Staff Assault With a Weapon Resulting in Treatment by a Medical Professional at an Outside Hospital
- ☐ Inmate on Staff Assault Without a Weapon Resulting in Treatment by a Medical Professional at an Outside Hospital
- ☐ Inmate on Staff Sexual Contact Allegation ☐
☐ Male Inmate on Male Staff ☐ Male Inmate on Female Staff ☐ Female Inmate on Male Staff ☐ Female Inmate on Female Staff
- ☐ Inmate on Inmate Assault with a Weapon Resulting in Treatment by a Medical Professional at an Outside Hospital
- ☐ Inmate on Inmate Assault without a Weapon Resulting in Treatment by a Medical Professional at an Outside Hospital
- ☐ Inmate on Inmate Sexual Contact Resulting in Treatment by a Medical Professional at an Outside Hospital
- ☐ Inmate on Inmate Sexual Contact Allegation ☐
☐ Male Inmate on Male Inmate ☐ Male Inmate on Female Inmate ☐ Female Inmate on Male Inmate ☐ Female Inmate on Female Inmate
- ☐ Staff on Inmate Sexual Contact Allegation ☐
☐ Male Staff on Male Inmate ☐ Male Staff on Female Inmate ☐ Female Staff on Male Inmate ☐ Female Staff on Female Inmate
- ☐ Inmate Death Investigation ☐
☐ Homicide ☐ Suicide ☐ Drug Overdose ☐ Natural Causes
- ☐ Inmate Escape
☐ From Secure Facility ☐ From Supervision
- ☐ Inmate Attempted Escape
☐ From Secure Facility ☐ From Supervision
- ☐ Escapee Apprehension
- ☐ Use of a Firearm by Staff

DEFENDANT'S
EXHIBIT

F

Occurrences To Be Reported Within 1 Hour

- ☐ Request for Resources by an Outside Agency
- ☐ State Vehicle Accident Requiring Treatment of Staff or Inmates by a Medical Professional at an outside hospital
- ☐ Staff or Inmate Injury Accident Resulting in Treatment by a Medical Professional at an Outside Hospital

Occurrences To Be Reported No Later Than 10:00 A.M. The Next Working Day

- ☐ Inmate on Staff Assault with a Weapon Resulting in Treatment by a Medical Professional at the Facility
- ☐ Inmate on Staff Assault without a Weapon Resulting in Treatment by a Medical Professional at the Facility
- ☐ Inmate on Staff Throwing Assault (Food, Bodily Fluids) Resulting in Testing by a Medical Professional at an Outside Hospital
- ☐ Inmate on Staff Throwing Assault (Food, Bodily Fluids) Resulting in Testing by a Medical Professional at the Facility
- ☐ Inmate on Inmate Assault with a Weapon Resulting in Treatment by a Medical Professional at the Facility
- ☐ Inmate on Inmate Assault without a Weapon Resulting in Treatment by a Medical Professional at the Facility
- ☐ Inmate on Inmate Sexual Contact Resulting in Treatment by a Medical Professional at the Facility
- ☐ Staff Misconduct (Any arrest or charging of a staff member of a felony offense or conduct by an employee (on or off duty), that may reflect on the Department in an adverse manner regardless of any criminal charges being filed.)
- ☐ Inmate Injury Resulting in Treatment at an Outside Hospital for Community Correction Centers
- ☐ Inmate Escape/Attempted Escape From a CCC/CCF (failure to return)
- ☐ Property Loss exceeding \$1,000.00
- ☐ Serious Contraband
- ☐ Suicide Attempt

☒ Use of Force ☐ Planned ☒ Unplanned

<input type="checkbox"/> E.B.I.D. <input type="checkbox"/> Psychiatric Restraints (Except in Licensed Mental Health Units) <input type="checkbox"/> Behavioral Restraints 1-2 point <input type="checkbox"/> Ambulatory Restraint (RIPP)	<input checked="" type="checkbox"/> Oleoresin Capsicum <input type="checkbox"/> Restraint Chair <input type="checkbox"/> Behavioral Restraints 4 point <input checked="" type="checkbox"/> Other (Specify) <u>split hood, leg restraints applied</u>
---	---

- ☐ State Vehicle Accident Requiring Treatment of Staff or Inmates by a Medical Professional at the Facility
- ☐ Workplace Violence (See Department Policy 4.1.1, "Human Resources and Labor Relations")
- ☐ Other (Any occurrence not included above or any occurrence resulting or which may result in public attention or media coverage.)
Specify: N/A

OCCURRENCE DESCRIPTION (who, what, where, when, why & how)

On May 15, 2018, at approximately 1250 hours, RHU officer CO1 Corey Barello was collecting meal trays on Charlie Pod. He approached H/C 13, which housed inmate Charles Chaney KR9865. CO1 Barello directed inmate Chaney to return his tray. Inmate Chaney refused. CO1 Barello gave inmate Chaney several more orders to return his tray. Chaney refused to comply. CO1 Barello notified RHU Sergeant John Clinger. Sgt. Clinger attempted to retrieve the tray from Chaney with negative results. Sgt. Clinger left the pod and proceeded to inform RHU Lieutenant Samuel Barner of Chaney's refusal to return his tray. When Sgt. Clinger exited the pod, inmate Chaney began to strike the cell door window utilizing the tray in attempt to break the window. CO1 Barello gave inmate Chaney several orders to stop. Inmate Chaney refused. CO1 Barello then deployed a burst of O.C. through the cell chase vent, which achieved its desired result. When Lt. Barner arrived he instructed inmate Chaney to surrender his tray. Chaney complied. Inmate Chaney was then restrained and removed from his cell and escorted to the RHU triage room to be assessed and decontaminated by medical staff. While waiting for medical staff to arrive, inmate Chaney became non-compliant and began to resist the escorting officers. Inmate Chaney was placed onto his stomach to maintain positive control. A split hood and leg restraints were applied. Inmate

Chaney continued to be non-compliant, was removed from the triage room and escorted to the RHU strip room. Inmate Chaney was placed on the wall while still being non-compliant with the escorting staff. Inmate Chaney began to strike his face on the wall, which caused injury to his right eye. He was placed onto the floor and positive control was achieved. Lt. Barner instructed the escorting officer to carry inmate Chaney into the strip room. Inmate Chaney was placed on the floor. Due to inmate Chaney being non-compliant, his clothing had to be removed. Sgt. Clinger began removing Chaney's clothing utilizing medical shears. Once his clothing was removed a strip search was conducted by Sgt. Clinger. Inmate Chaney was placed onto his feet and a tamper resistance gown was applied. Chaney was then escorted back to the RHU triage room for assessment and decontamination. Inmate Chaney was seen and photographed by RN Sandra Blair and LPN Wanda Wolford. The only injuries noted was a swollen right eye and slight redness to his wrists. Once the medical assessment was complete, Chaney was escorted to a cell and placed. Lt. Barner instructed the camera operator, CO1 Mike Davis, to record Chaney for an additional 3 to 5 minutes and then report for a debriefing of the incident. Lt. Barner conducted a debriefing of the incident events. No staff injuries reported. SC1 Albion command staff was notified and all incident related paperwork was completed.

Notification To Name (Org/Person) Date/Time
Other Major C. Meure May 15 2018 13:04:00

Weapon Information: Was a Weapon Used ☐ Yes ☒ No

Describe Weapon: N/A

Was Weapon Recovered: ☐ Yes ☒ No

Where/how was weapon made/obtained: N/A

Additional Information about Weapon(s) (if applicable)
N/A

Staff Response/Action (Including times, names/titles, etc)

Staff Medical Attention Given

Date/Time of Action

Description of Action

May 15 2018 12:50:00 Sgt. Clinger arrives, attempts to retrieve tray from Chaney, negative results
May 15 2018 12:50:00 CO1 Barellio attempts to retrieve meal tray from Chaney, negative results, notifies Sgt. Clinger.
May 15 2018 12:53:00 Sgt. Clinger departs Charlie pod to inform Lt. Barner. Chaney began to strike cell window with tray.
May 15 2018 12:54:00 Orders given to Chaney to stop, orders refused, CO1 Barellio applies O.C.
May 15 2018 12:56:00 Lt. Barner arrives, obtains the tray from Chaney
May 15 2018 12:58:00 Inmate Chaney secured, escorted to the triage room
May 15 2018 13:05:00 Inmate Chaney placed face down on a Gurney, spit hood and leg restraints applied due to Chaney being non-compliant
May 15 2018 13:08:00 Chaney escorted to RHU strip cage
May 15 2018 13:10:00 Inmate Chaney struck his face off the wall, he was placed on the floor
May 15 2018 13:11:00 Inmate Chaney was carried into the strip room, clothing cut off, strip search conducted
May 15 2018 13:15:00 Strip search complete, Argentine gown applied, escorted to triage room
May 15 2018 13:16:00 Chaney assessed and photographed by medical staff
May 15 2018 13:30:00 Chaney escorted to HD 12 for placement
May 15 2018 13:37:00 Debrief conducted by Lt. Barner

Additional Comments

Investigative Information

☒ Internal Investigation

☐ External Investigation

Investigator:

Suspect Name: Type of Suspect:

Additional Comments

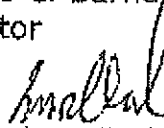
July 14, 2018

INVESTIGATIVE SUMMARY: 2018-A-309

COMPLAINANT: Inmate Charles Chaney KR9965

SUBJECT: COII John Clinger
COI Corey Borello
COI Jonathan McHale
COI Brenton Boyd
COI Daniel Bornscheuer
COI Richard Bednaro

TO: James C. Barnagle
Director

THROUGH: 
Michael R. Clark
Superintendent

SUBMITTED BY: Lt. Andrew R. Skinner
Security Lieutenant

SYNOPSIS

This investigation is predicated on a DC-135A authored by inmate Chaney, Charles KR9965 on 17 MAY 18. Inmate Chaney alleges, "On 5-15-18 I was assaulted by the CO well being in the medical room then I was taken to the strip cage slam of the floor punch in the eye mug in the eye and knee in the eye"

This investigation was further predicated on a DC-804 Part 1 purportedly authored by Inmate Chaney, Charles KR9965 on 16 MAY 18. In that grievance it is alleged, "They took me into the medical room and started to assault me off camera they also took me into the strip cage and continue to assault me as well as to make "sexual" threats calling niggers and monkeys I was punched in my eye." The allegation goes on, "Then I was denied medical treatment."



pennsylvania

DEPARTMENT OF CORRECTIONS

I, Security Lieutenant Andrew Skinner, conducted an allegation of abuse investigation as a result of the allegations by Inmate Chaney KR9965. During the course of the investigation one (1) Inmate was interviewed and furnished two (2) written statements, and eight (8) staff members were interviewed and furnished written statements. Additionally, review of three (3) videos, (Investigative Insert, Review of Video (x3), Attachment #2), and review of one EOR, (Investigative Insert, Review of EOR #2018-ALB-00163, Attachment #3), was conducted.

Note: Inmate Chaney's allegation of "sexual" threats was assigned as incident #2018-ALB-001335-ALB, Sexual Harassment. Inmate Chaney's allegation was addressed through his Interview process and a written statement provided by Inmate Chaney in which he relayed he was not sexually abused or harassed during the course of this incident.

SUMMARY OF FINDINGS

During the course of this investigation the following points of interest need be noted:

- Gross differences/variations of inmate Chaney's allegation from his DC-135A, to his purported DC-804, to his written statement, to his articulated version
- This investigation has produced clear evidence of inmate Chaney banging his head on the wall of his own accord
- This investigation has produced no evidence of any staff using force against Inmate Chaney maliciously for the purpose of causing him harm
- This investigation has been able to directly refute Inmate Chaney's allegation of "sexual" threats made towards him via his own articulated and written statements
- All staff actions are documented and the reason for those actions occurring

The above referenced, paired with staff and Inmate interviews, video review, and EOR review, bring this Investigating officer to make the following;

CONCLUSION

- The allegation by inmate Chaney that he was punched, mugged, or kneed in the eye is **unfounded**



pennsylvania

DEPARTMENT OF CORRECTIONS

- The allegation by Inmate Chaney that his food was "played" with is **unsubstantiated**
- The allegation by inmate Chaney that "sexual" threats were made towards him is **unfounded** via Inmate Chaney's articulated and written statements

RECOMMENDATIONS

Close the investigation at the local level.

CHARGES

None

**Memorandum of Interview
Inmate Charles Chaney KR9965**

Case#: 2018-A-309

Location: SCI Albion RHU

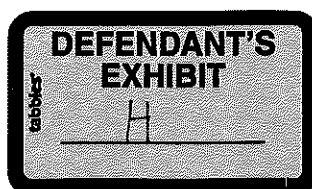
Date/ Time: 31 MAY 18/1020hrs

Investigator: Lt. A. Skinner

This investigation is predicated on a DC-135A authored by Inmate Chaney, Charles KR9965 on 17 MAY 18. Inmate Chaney alleges, "On 5-15-18 I was assaulted by the CO well being in the medical room then I was taken to the strip cage slam of the floor punch in the eye mug in the eye and knee in the eye"

Inmate Charles Chaney confirmed his identity and his institutional number as KR9965. Inmate Chaney stated the DOC notes his date of birth as 17 FEB 84, yet that is an error and his actual birth date is 17 OCT 84. Inmate Chaney was aware of the reason for this interview and the identity of this interviewing officer.

Inmate Chaney stated the entire occurrence stemmed from his food, "being played with". When questioned as to how his food was "played with" Inmate Chaney stated, "I don't know, but I know he did something to my food." Inmate Chaney stated he then attempted to break the cell window out with the meal tray because he was angry. Inmate Chaney was questioned if he was sprayed with OC due to trying to break the window and responded, "No, he sprayed it into the cell through the vent, but that canned shit is weak." Inmate Chaney was questioned as to what officer he alleged punched him in the eye and responded that he was in the strip cage and CO1 Borello began to punch him in the right eye and CO1 Borello then jammed his fist into this eye "for good measure" and he also kneed him in the eye. Inmate Chaney stated CO1 Borello is the only officer that punched, struck, or abused him in any manner. Inmate Chaney was questioned as to if he was verbally threatened by the officers to which he responded he was not, further inmate Chaney stated he was not threatened sexually, nor were any sexual comments made towards him during this incident. Inmate Chaney was then questioned if he authored grievance relative to his allegations and he responded he did. Inmate Chaney was then questioned if he would explain why his grievance alleged sexual threats were made towards when he had earlier stated none were made to which he responded he could not explain it and maybe he was angry and wanted to "spice it up" yet could not recall. Inmate Chaney was questioned if derogatory statements were directed towards him during the incident to which he responded, "No." Inmate Chaney was questioned why the grievance stated officers referred to him as



Attachment 4

Case#: 2018-A-309 (Page 2)

Subject: Inmate Chaney KR9965

a "nigger" and a "monkey" during the incident and he responded he did not know. Inmate Chaney also was unaware of the relief he requested in his grievance and stated he made no mention of lawyers and requested money for injuries. Inmate Chaney stated he was not denied medical and he was seen and assessed by a nurse. Inmate Chaney was again questioned if sexual threats or statements were made towards him and he again replied, "No." Inmate Chaney was again questioned where he was punched during the incident and he stated he was in the strip cage and CO1 Borello punched, kneed, and jammed his fist into his eye. Inmate Chaney was questioned of anything to add and he responded that what he had already stated was exactly what had happened.

At the conclusion of the interview inmate Chaney provided a written statement. Inmate Chaney provided a second written statement on 1 JUN 18 due to the allegation of sexual threats made towards him.

INMATE WRITTEN STATEMENT

LOCATION: RHU DATE: 5-31-18 TIME: 10:25 CASE: 2018-A-309
LAST NAME: Chasey FIRST: Charles MIDDLE: Alvin
DOB: 10-17-84 INMATE NUMBER: K19965
FACILITY OF INCARCERATION: SET Albion

I, LT Charles Chasey, hereby state that LT Skinner
has identified himself/herself to me as a Commissioned Officer employed by the Pennsylvania Department of
Corrections CC (Initial)

The following statement is being given by me freely and without coercion for official Commonwealth business and will be
considered for all purposes, including actions under the Statutes of this Commonwealth, just as though it had been sworn or
affirmed before a court of law or formal arbitration panel CC (Initial)

On Tuesday May 15 2018 I had a altercation with
Sergeant Clinger about him playing with my food
Leading me to keep my lunch tray at lunch. Sergeant
Clinger and Co Broela where at my door negotiated
about me giving the tray back because i was
attempting to break out the door window as i was
doing that Sergeant Clinger had left the scene
Leaving Co Broela to watch me and the door
window. as I attempting to try to break out the
window Co Broela pull his can of OC spray and
sprayed Sergeant Clinger return with LT Barnet
giving me the order to cut up so i comply to the last
order giving. So they remove me from the cell walk me
down stairs leading me to the RHU medical room once
in the room they sat me down on the medical bed

I have read and understand this entire statement or it has been read and explained to me. I have signed this statement
indicating that it is true and correct.

Having read this statement, which was given by me for official Commonwealth business, to be considered for all purposes,
including actions under the Statutes of this Commonwealth, just as though it had been sworn or affirmed before a court of law or
formal arbitration panel, I find I have nothing further to add.

[Signature]
(Witness)

Page 1 of 3

Charles Chasey 5-31-18
(Signature of Person Making Statement) /Date

STATEMENT CONTINUED


LT Barner had enter the Rhu medical Room to see what was going on with me and i told him that Sergeant Ringer was playing with my tooth about 45 Second later ms Kosinski had walk by the Rhu medical and i said to her what the fuck are you looking at white Bitch and LT Barner said to me she didnt do nothing to you mr Chaney be Respectful so i went to adjust the way i was Sitting on the Bed when Co Brorato and other CO's started to rough me up in the Rhu medical Room then Heard Li Barner say take him to the Strip Room they pulled me off the medical Bed and walk me back to the Stripout Room with two good eyes they place me face Forward the wall while they were open the door to the Strip Room. Now i was still standing facing the wall i put my forehead to the wall Couple times and that when they slam me to the floor they was applyng so much pressure i couldn't even feel my hands so while all of

I have read and understand this entire statement or it has been read and explained to me. I have signed this statement indicating that it is true and correct.

Having read this statement, which was given by me for official Commonwealth business, to be considered for all purposes, including actions under the Statutes of this Commonwealth, just as though it had been sworn or affirmed before a court of law or formal arbitration panel, I find I have nothing further to add.


(Witness)

Page 2 of 3

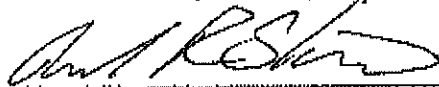
 5-31-18
(Signature of Person Making Statement) /Date

STATEMENT CONTINUED

this was going they kept saying Stop Resisting
Stop Resisting and Sergeant Clinger was twisting
my Right Leg as i was down on the floor Co' Burrell
was in the front part of my body position his sole
at the front of my head striking me in my eye with
a close fist jamming his fist into my eye then
kneeing me in the eye for good measured my
eye instantly swelling up. the Relief i am seek
is \$300,000 Dollar for pain and Suffering and as
while mental and emotional injury that i suffered
to my eye. this is everything that happen from start
to finish also i would for you guy to keep that
video footage

I have read and understand this entire statement or it has been read and explained to me. I have signed this statement indicating that it is true and correct.

Having read this statement, which was given by me for official Commonwealth business, to be considered for all purposes, including actions under the Statutes of this Commonwealth, just as though it had been sworn or affirmed before a court of law or formal arbitration panel, I find I have nothing further to add.



(Witness)

Page 3 of 3

 5-31-18
(Signature of Person Making Statement) /Date

INMATE WRITTEN STATEMENT REGARDING SEXUAL ABUSE/HARASSMENT

LOCATION: RHU DATE: 6-1-18 TIME: 11:50 CASE: 2018-A-309 ^{2018 ALB}

LAST NAME: Chaney FIRST: Charles MIDDLE: Alvin ^{001335-ALB}

DOB: 10-17-18 INMATE NUMBER: K79965

FACILITY OF INCARCERATION: SCT Abington

I, Charles Chaney, hereby state that SKinner
has identified himself/herself to me as a Commissioned Officer employed by the Pennsylvania Department of
Corrections. CC (Initial)

The following statement is being given by me freely and without coercion for official Commonwealth business and will be
considered for all purposes, including actions under the Statutes of this Commonwealth, just as though it had been sworn or
affirmed before a court of law or formal arbitration panel. CC (Initial)

at anytime i was not sexual assaulted or
threatened By the RHU OFFICER ON MAY 15, 2018

I have read and understand this entire statement or it has been read and explained to me. I have signed this statement
indicating that it is true and correct.

Having read this statement, which was given by me for official Commonwealth business, to be considered for all purposes,
including actions under the Statutes of this Commonwealth, just as though it had been sworn or affirmed before a court of law or
formal arbitration panel, I find I have nothing further to add.

[Signature]
(Witness)

Page 1 of 1

Charles Chaney 6-1-18
(Signature of Person Making Statement) /Date

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

FOR OFFICIAL USE
737085
GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

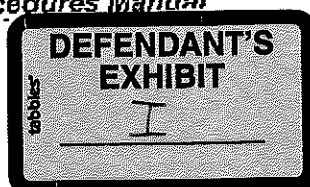
TO: FACILITY GRIEVANCE COORDINATOR Mr. THARPE	FACILITY: SC 7 A	DATE: 5/16/18
FROM: (INMATE NAME & NUMBER) CHARLES CHANEY KR 9965	SIGNATURE OF INMATE: <i>Charles Chaney</i>	
WORK ASSIGNMENT: None	HOUSING ASSIGNMENT: HD 12	
INSTRUCTIONS: 1. Refer to the DC-ADM 804 for procedures on the inmate grievance system. 2. State your grievance in Block A in a brief and understandable manner. 3. List in Block B any action you may have taken to resolve this matter. Be sure to include the identity of staff members you have contacted.		
A. Provide a brief, clear statement of your grievance. Additional paper may be used, maximum two pages (one DC-804 form and one one-sided 8½" x 11" page). State all relief that you are seeking. ON Monday 5/15/18 APPROX 13:00HRS TO 14:00HRS THE RTHU SET and OTHER CLO's told me that the Psychs wanted to speak with me so after stripping out and getting cuffed they took me into the Medical Room and started to Assault me off camera they also took me into the strip cage and continue to Assault me as well as to MAKE "sexual" THREATS calling niggers and monkeys. I was Punched in my eye. I don't feel cared for here at SC. Abused repeatedly by the RTHU staff. THEN I was denied medical treatment my eye is swollen and I can barely see out of it. I'm seeking to be Compensated 150,000 For Lawyer fees And 150,000 for DAMAGES. I need camera footage for court exhibits		
B. List actions taken and staff you have contacted, before submitting this grievance. THE whole 2nd shift staff in the third shift staff of the RTHU.		

Your grievance has been received and will be processed in accordance with DC-ADM 804.

Mr. Tharpe
Signature of Facility Grievance Coordinator

5-18-18
Date

WHITE Facility Grievance Coordinator Copy CANARY File Copy PINK Action Return Copy
GOLDEN ROD Inmate Copy



AOA
St. Shimmer